

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent application of:

Applicant(s): Martin Brady et al.
Application No.: 10/753,979
Filed: January 8, 2004
Title: HOLLOW STYLET FOR INFUSION CATHETER SYSTEMS,
DEVICES, AND METHOD

Examiner: Laura C. Schell
Art Unit: 3767
Docket Number: SCHWP0211USA

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
BASED ON FAILURE TO RECEIVE OFFICE ACTION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned attorney of record was recently contacted by the Examiner inquiring as to whether or not a reply had been filed to the Office Action dated October 2, 2006. Upon examination of the undersigned's file, it was discovered that said Office Action had never been received by the undersigned. The undersigned has downloaded a copy of the Office Action and discovered that it had been mailed to the law firm of Schwegman, Lundberg, Woessner & Kluth, P.A., notwithstanding the Power of Attorney submitted on December 8, 2005, a copy of which is attached. The undersigned does not know if the Schwegman firm received a copy of the Office Action. Nevertheless, the Office Action was never received by the undersigned and thus the undersigned was unaware of the Office Action and the deadline for responding to same.

The undersigned hereby reiterates that the Office Action was not received by him and that a search of the file jacket and docket records indicates that the Office Action was not received. Attached is a copy of a docket report showing the deadlines

docketed for the subject application. If the Office Action had been received and docketed, the deadline would appear on the docket report.

In view of the foregoing, withdrawal of the holding of abandonment and re-setting of the period for response to the Office Action is respectfully requested.

The Commissioner is hereby authorized to charge any fee associated with this communication to Deposit Account No. 18-0988 under the above shown docket number.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

/Don W. Bulson/

By _____
Don W. Bulson, Reg. No. 28,192

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ROBS#SCHWP0211USA

COUNTRYUSUNITED STATES

NEW/CONFCA

RELATEDSCHWP0211US

TYPEUTL

CLIENTSCHWSCHWABE, SANDMAIR, MARX

AGENT

SERIAL#10/753,979

PATENT#

STATUSPENDING

TITLEHOLLOW STYLET FOR INFUSION CATHETER SYSTEMS, DEVICES, AND METHODS

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AREF

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PRIOR01/08/2004

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FILE01/08/2004

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ID	C	ACTION	BASE	DUE IN	DUE	EXTNS	FINAL	EXT	RESPONSE	CALL UP	1	2	P
RE	N	RESPONSE TO OA	01/27/2006	3 M	04/27/2006	3 1	07/27/2006	2	05/30/2006		1 M	Y	Y Y
	N	RE STATUS CHECK	05/30/2006	4 M	09/30/2006	1 6	03/30/2007	1			0 M	Y	Y Y
FILED RESP 5/30/06 DLINE 4/27/06													

ASSIGNEES

BRAINLAB AG

PRIOR APPLICATIONS						
REFERENCE#	CNTRY	SERIAL#	FILED	TITLE / DESCRIPTION		TYPE
SCHWP0211US	US	60/439,728	01/13/2003	HOLLOW STYLET INFUSION CATHETER SYSTEMS, DEVICES AND METHODS		APPL

USER-DEFINABLE FIELDS				PATENT FIELDS			
PRIOR				SMALL ENTITY		ART UNIT	
APP				CLAIMS		EXAMINER	
TYPE				PUBLICATION#		CONFIRM#	
P13790US01	ENTERED	06/22/2004	MODIFIED 01/04/2007 9 BY BA	ATTORNEYS	DWB	/ N/A	/ N/A

NOTES

TRANSFERRED TO ROBS 6/22/04